

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

7644P

In re Patent Application of

CLARKE et al

Serial No. 09/529,342

Filed: July 27, 2000

Title: PARTICLES

Atty Dkt. 39-206

C# M#

Group Art Unit: 1641

Examiner: Do, P.

Date: July 29, 2002

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

AMENDMENT AND RESPONSE TO NOTICE TO COMPLY

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

Fees are attached as calculated below:

| | | | | |
|--|----|----------------------|---|------------|
| Total effective claims after amendment | 0 | minus highest number | | |
| previously paid for | 20 | (at least 20) = | 0 | x \$ 18.00 |

\$ 0.00

| | | | | |
|------------------------------------|---|----------------------|---|------------|
| Independent claims after amendment | 0 | minus highest number | | |
| previously paid for | 3 | (at least 3) = | 0 | x \$ 84.00 |

\$ 0.00

If proper multiple dependent claims now added for first time, add \$280.00 (ignore improper)

\$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$400.00/2 months; \$920.00/3 months)

\$ 0.00

Terminal disclaimer enclosed, add \$ 110.00

\$ 0.00

| | |
|---|---------|
| <input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$740.00) | \$ 0.00 |
| <input type="checkbox"/> Please enter the previously unentered , filed | |
| <input type="checkbox"/> Submission attached | |

| | |
|-----------------|---------|
| Subtotal | \$ 0.00 |
|-----------------|---------|

| | |
|--|----------|
| If "small entity," then enter half (1/2) of subtotal and subtract | -\$ 0.00 |
| <input type="checkbox"/> Applicant claims "small entity" status. <input type="checkbox"/> Statement filed herewith | |

| | |
|--|---------|
| Rule 56 Information Disclosure Statement Filing Fee (\$180.00) | \$ 0.00 |
|--|---------|

| | |
|------------------------------------|---------|
| Assignment Recording Fee (\$40.00) | \$ 0.00 |
|------------------------------------|---------|

| | |
|--------|------|
| Other: | 0.00 |
|--------|------|

| | |
|---------------------------|---------|
| TOTAL FEE ENCLOSED | \$ 0.00 |
|---------------------------|---------|

The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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MJW:tat

NIXON & VANDERHYE P.C.
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson

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TECH CENTER 1600/2900



| | | | |
|---|--|-------------------------------|------------------------|
| Notice to Comply | | Application No. 09/529,342 | Applicant(s) CLARKE |
| | | Examiner PENSEE DD | Art Unit 1641 |
| NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES | | | |
| <p>Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).</p> <p>The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):</p> <ul style="list-style-type: none"> <input type="checkbox"/> 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). <input type="checkbox"/> 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c). <input checked="" type="checkbox"/> 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). <input type="checkbox"/> 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." <input type="checkbox"/> 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d). <input type="checkbox"/> 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e). <input type="checkbox"/> 7. Other: <p>Applicant Must Provide:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> An initial or substitute computer readable form (CRF) copy of the "Sequence Listing". <input type="checkbox"/> An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification. <input checked="" type="checkbox"/> A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d). <p>For questions regarding compliance to these requirements, please contact:</p> <p>For Rules Interpretation, call (703) 308-4216 For CRF Submission Help, call (703) 308-4212 PatentIn Software Program Support Technical Assistance.....703-287-0200 To Purchase PatentIn Software.....703-306-2600</p> <p>PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY</p> | | | |

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